Remarks

Applicant respectfully requests that this Response After Final be admitted under 37 C.F.R. § 1.116.

Applicant submits that this Amendment presents claims in better form for consideration on appeal. Furthermore, applicant believes that consideration of this Amendment could lead to favorable action that would remove one or more issues for appeal.

Claims 1, 19 and 27 have been amended. Claims 6 and 7 have been canceled. Therefore, claims 1-4, 8, 19-23, 25 and 27-30 are now presented for examination.

Claims 1, 2, 4, 8, 19-21, 23, 25, 27, 28 and 30 stand rejected under 35 U.S.C. §102(e) as being anticipated by Multer et al. (U.S. Patent No. 6,671,757). Applicant submits that the present claims are patentable over Multer.

Multer discloses a system for synchronizing devices which can be coupled to a network. See Multer at Abstract. Multer further discloses using a "change log" that describes a series of sync transactions for the system to perform on the device. See Multer at col. 12, ll. 27-28. The system also includes a delta module which performs the synchronization operations based on triggers such as when to sync and how to sync. See Multer at col. 13, ll. 7-9. Some of these triggers include: manually triggering when a user presses the "sync" button or time-based triggers. See Multer at col. 35, ll. 13-22.

Claim 1 of the present application recites:

> A method comprising: modifying a first electronic mail (e-mail) message at a wireless device;
> generating a first message transaction update indicating a modification to the first e-mail;
> modifying a second e-mail message at the wireless device;

generating a second message transaction update indicating a modification to the second e-mail;

detecting whether one or more of message transaction conditions have occurred;

combining the first message transaction update and the second message transaction update into a batch transaction update if the one or more of message transactions have occurred and based on one or more of the following batch processing parameters: a predetermined number of message transaction updates have accrued, and the batch transaction update reaches a predetermined size; and

wirelessly transmitting the batch transaction update to a server.

Applicant submits that Multer fails to disclose or suggest that a batch transaction update is based on when the batch transaction update reaches a predetermined size. In fact, the Examiner, in a final Office Action, acknowledges that Multer does not disclose "transmitting the batch transaction update after the batch transaction update reaches a predetermined size." See final Office Action, mailed Spetember 7, 2005 at page 9, paragraph 30. Instead the Examiner cites Przybysz as disclosing such a feature. Przybysz discloses a batch transfer function that sends a buffer once a number of updates in the buffer reach a configuration limit. See Przybysz at col. 4, ll. 53-55. However, nowhere does Przybysz disclose or suggest that a batch transaction update is based on when the batch transaction update reaches a predetermined size, as recited by claim 1. A number of updates is not equivalent to a predetermined size.

Therefore, claim 1 is patentable over Multer. Claims 2-4 and 6-8 depend from claim 1 and include additional features. Thus, claims 2-4 and 6-8 are also patentable over Multer.

Claim 19 of the present application recites:

A wireless device comprising:

control logic to modify a first electronic mail (e-mail) message, generate a first message transaction update indicating a modification to the first e-mail, modify a second e-mail message, generate a second message transaction update indicating a modification to the second e-mail, and to initiate synchronization with a server;

message transaction detection logic to detect whether one or more of message transaction conditions have occurred; and

batch processing logic to combine the first message transaction update and the second message transaction update into a batch transaction update, the combining based on one or more of the following batch processing parameters: a predetermined number of message transaction updates have accrued, and the batch transaction update reaches a predetermined size.

Thus, for the reasons described with respect to claim 1, claim 19 is also patentable over Multer. Because claims 20-23 and 25 depend from claim 19 and include additional features, claims 20-23 and 25 are also patentable over Multer.

Claim 27 of the present application recites:

A machine-readable medium having stored thereon data representing sets of instructions, the sets of instructions which, when executed by a machine, cause the machine to:

modify a first electronic mail (e-mail) message at a wireless device;

generate a first message transaction update indicating a modification to the first e-mail;

modify a second e-mail message at the wireless device;

generate a second message transaction update indicating a modification to the second e-mail;

detect whether one or more of message transaction conditions have occurred;

combine the first message transaction update and the second message transaction update into a batch transaction update if the one or more of message transactions have occurred and based on one or more of the following batch processing parameters: a predetermined number of message transaction updates have accrued, and the batch transaction update reaches a predetermined size; and

wirelessly transmit the batch transaction update to a server.

Thus, for the reasons described with respect to claim 1, claim 27 is also patentable over Multer. Because claims 28-30 depend from claim 27 and include additional features, claims 28-30 are also patentable over Multer.

Claims 3, 22, and 29 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Multer et al. (U.S. Patent No. 6,671,757) in view of Herrod et al. (U.S. Patent No. 6,675,203). Applicant submits that the present claims are patentable over Multer in view of Herrod.

Herrod discloses in order to avoid loss of data when a mobile computer goes out of range of an access point, all data collected during the out of range time is stored in the mobile computer. Then when the mobile computer reestablished a connection the collected data is uploaded to a host computer. See Herrod at col. 7, ll. 23-32. However, Herrod fails to disclose or suggest that a batch transaction update is based on when the batch transaction update reaches a predetermined size.

As discussed above, Multer does not disclose or suggest such a feature. Since neither Multer nor Herrod disclose or suggest that a batch transaction update is based on when the batch transaction update reaches a predetermined size, any combination of Multer and Herrod would not disclose or suggest the feature. Therefore, the present claims are patentable over Multer in view of Herrod.

Claims 6 and 7 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Multer et al. in view of Przybysz (U.S. Patent No. 6,188,695).

Claims 6 and 7 have been canceled, thus obviating this rejection.

Applicant respectfully submits that the rejections have been overcome, and that the claims are in condition for allowance. Accordingly, applicant respectfully requests the rejections be withdrawn and the claims be allowed.

The Examiner is requested to call the undersigned at (303) 740-1980 if there remains any issue with allowance of the case.

Please charge any shortage to our Deposit Account No. 02-2666.

Respectfully submitted,

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